



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.2882 of 2025 (O&M)
Date of Decision: 28.01.2026

MADAN LAL

.....Appellant

Versus

DAV PUBLIC SCHOOL AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Veena Hooda, Advocate, for the appellant.

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ANUPINDER SINGH GREWAL, J. (Oral)

CM-7266-LPA-2025

This is an application seeking condonation of delay of 164 days in filing the appeal.

For the reasons stated in the application, the same is allowed and delay of 164 days in filing the appeal is condoned.

Main Appeal

The appellant has impugned the judgment of the Single Bench whereby the award of the Labour Court has been modified to the extent that instead of reinstatement, compensation has been awarded to the appellant.

2. Learned counsel for the appellant submits that services of the appellant had been terminated in violation of the provisions of Industrial Disputes Act, 1947. The signatures of the appellant had been obtained on a blank paper by the respondents which amounts to an unfair trade practice, as recorded by the Labour Court in its award and by the Single Bench.

3. Heard.



4. The appellant is stated to have worked as a Guard with the respondents from 26.03.2000 till 31.03.2006. Although it was the case of the appellant that he had worked till March 2006 but no material had been brought before the Labour Court in support of this claim. The Labour Court had found the termination of the appellant to be in violation of the Industrial Disputes Act, 1947 and had directed his reinstatement along with 50% backwages. The Single Bench while noticing that the appellant had worked for only 1 ½ years and an amount of Rs.1,68,000/- had been paid to him under Section 17-B of the Act, had modified the award and had directed lump sum compensation of another Rs.75,000/- as full and final settlement instead of reinstatement.

5. We do not find any manifest illegality in the judgment of the Single Bench directing payment of lumpsum compensation. It is trite that in situations where the workman has worked for a short period, and there is violation of Section 25F of the Industrial Disputes Act, 1947, instead of reinstatement, appropriate compensation may be ordered. Reference can be made to the judgment of the Division Bench of this Court in the case of **Sukhbir Singh Vs. State of Haryana and ors., LPA No.1203 of 2021**, decided on 01.03.2023, wherein while referring to the judgments of the Supreme Court it was held that for each completed year of service, compensation of Rs.50,000/- would be just and equitable. The relevant paragraph of the judgment is reproduced hereunder:-

“Xxxxxx

6. Resultantly, once the workman had completed 240 days and apparently had worked for a



period spanning more than 5 ½ years, we are of the considered opinion that dispensing of his service before his contractual period came to an end would entitle him for the statutory protection which would be evident from the award of the Labour Court. However, keeping in view the fact that at this point of time, it would not be justified to put him back in service since a period of almost 25 years has gone by and therefore, it would be just and appropriate to award compensation to the tune of Rs.2,50,000/- on an average of Rs.50,000/- per year, keeping in view the fact that the State had taken his service for more than 5 years with the same office in different districts.

Xxxxx”

6. The appellant had worked only for 1 ½ years and the Single Bench has directed that he be paid lumpsum compensation of Rs.75,000/- which is over and above the amount of Rs.1,68,000/- paid to him under Section 17-B of the Industrial Disputes Act, 1947 during the pendency of the proceedings

7. Consequently, the appeal being devoid of any merit stands dismissed.

8. Pending miscellaneous application(s), if any, also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

28.01.2026
Sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No